In the High Court of Punjab and Haryana, Chandigarh

C.W.P. No. 15935 of 2006
Date of Decision: October 9, 2006

Jaswinder Kaur

…Petitioner

Versus

State of Haryana and others

…Respondents

CORAM: HON'BLE MR. JUSTICE M.M. KUMAR
HON'BLE MR. JUSTICE M.M.S. BEDI

PRESENT: Mr. J.B. Sharma, Advocate,
for the petitioner.

JUDGMENT

M.M. KUMAR, J. (Oral)

The impugned order dated 1.3.2004 (P-3) is the subject matter of challenge in the instant petition. The petitioner has prayed for quashing the aforementioned order with further direction to the respondents to reinstate her in service with continuity and all other benefits including back wages and seniority. It has also been prayed that direction be issued to the respondents to allow her to continue in service till the regular appointment is made. The petitioner has earlier filed C.W.P. No. 18941 of 2003 in this Court in which directions were issued on 5.12.2003 for deciding the representation made by her in accordance with law by passing a speaking order. Accordingly, the

respondents have passed the impugned order disclosing that the petitioner was relieved of her duty on 13.5.1998 due to availability and joining of regular selected candidates. It is also clarified that the petitioner was relieved by following the principle of 'last come first go' and that neither any Punjabi Teacher was working on contract basis nor there was any vacancy in the whole district of Jind. The aforementioned order is wholly supported by the observation by a Constitution Bench of Hon'ble the Supreme Court in the case of **Secretary, State of Karnataka v. Umadevi, (2006) 4 SCC 1**. Accordingly, the writ petition fails and the same is dismissed.

(M.M. KUMAR)
JUDGE

(M.M.S. BEDI)
JUDGE

October 9, 2006
Pkapoor